



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)
Plaintiff,)
v.) ORDER OF DETENTION AFTER HEARING
Sergio Chavez Pinedo) (18 U.S.C. § 3142(i))
Defendant.)

10-370-DMG-19

I.

A. On motion of the Government involving an alleged
1. crime of violence;
2. offense with maximum sentence of life imprisonment or death;
3. narcotics or controlled substance offense with maximum sentence of ten or more
years (21 U.S.C. §§ 801, 951, et seq., 955a);
4. felony - defendant convicted of two or more prior offenses described above;
5. any felony that is not otherwise a crime of violence that involves a minor victim, or
possession or use of a firearm or destructive device or any other dangerous weapon,
or a failure to register under 18 U.S.C. § 2250.

B. On motion (by the Government) / (by the Court sua sponte involving)

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ORDER OF DETENTION AFTER HEARING (18 U.S.C. §3142(i))

- 1 1. () serious risk defendant will flee;
- 2 2. () serious risk defendant will
 - 3 a. () obstruct or attempt to obstruct justice;
 - 4 b. () threaten, injure, or intimidate a prospective witness or juror or attempt to do so.

Under the present belief II.

6 The Court finds no condition or combination of conditions will reasonably assure:

- 7 A. () appearance of defendant as required; and/or
- 8 B. () safety of any person or the community.

9 III.

10 The Court has considered:

- 11 A. () the nature and circumstances of the offense, including whether the offense is a crime of violence, a Federal crime of terrorism, or involves a minor victim or a controlled substance, firearm, explosive, or destructive device;
- 12 B. () the weight of evidence against the defendant;
- 13 C. () the history and characteristics of the defendant;
- 14 D. () the nature and seriousness of the danger to any person or to the community.

17 IV.

18 The Court concludes:

- 19 A. () Defendant poses a risk to the safety of other persons or the community because:

20 *nature of charge; prior record*
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1 B. () History and characteristics indicate a serious risk that defendant will flee because:

2 *severity of potential punishment*
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8 C. () A serious risk exists that defendant will:

9 1. () obstruct or attempt to obstruct justice;

10 2. () threaten, injure or intimidate a witness/ juror, because:

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17 D. () Defendant has not rebutted by sufficient evidence to the contrary the presumption
18 provided in 18 U.S.C. § 3142 (e).
19 *without prejudice*

IT IS ORDERED that defendant be detained prior to trial.

IT IS FURTHER ORDERED that defendant be confined as far as practicable in a corrections facility separate from persons awaiting or serving sentences or persons held pending appeal.

IT IS FURTHER ORDERED that defendant be afforded reasonable opportunity for private consultation with his counsel.

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DATED: 9/17/10



U.S. MAGISTRATE / DISTRICT JUDGE